

WIESNER & ASSOCIATES

Intellectual Property
366 Cambridge Ave., Palo Alto, CA. 94301
www.wiesnerlegal.com
info@wiesnerlegal.com

RECEIVED
CENTRAL FAX CENTER

MAR 04 2005

(650) 853-1113: Office
(650) 853-1114: Facsimile
(858) 777-3666: Alt. Facsimile

To: USPTO Central FAX	Fax Number: 17038729306
Company : USPTO Central FAX	Date : 3/4/2005
From : Leland Wiesner	Fax Number : 6508531114
Company : na	Pages including cover page: 2
Subject : Sending duplicate copy of Notice of Appeal filed 01/07/2005 for 09/986,531	

Comments:

Please note the attached copy of the Notice of Appeal is being submitted for entry in US Application No. 10008128-1. It appears that the original submission made on 01/07/2005 via FAX to 571 273 3685 may have been misplaced even though our deposit account was charged the requisite \$500.00 fee. Accordingly, we have merely resubmitted this to ensure that the file is complete as we are preparing to file an Appeal brief.

Also, we have corrected the date to indicate 01/07/2005 rather than 01/07/2004 as this was a typographical error made upon filing.

Thank you,

Leland Wiesner

ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

The information contained in this message is privileged and confidential and is intended only to be read by the individual or entity named above or their designee. If the reader of this message is not the intended recipient, you are on notice that any distribution of this message, in any form, is strictly prohibited. If you have received this message in error, please immediately notify the sender at (650)853-1113 or email at faxerror@wiesnerlegal.com and delete or destroy any copy of this message.

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P. O. Box 272400
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10008128-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Shackleford, J. Barry

Confirmation No.: 5766

Application No.: 09/986,531

Examiner: Hirt, Joseph

Filing Date: 11/09/2001

Group Art Unit: 2121

Title: Combinatorial Fitness Function Circuit

RECEIVED
CENTRAL FAX CENTER

MAR 04 2005

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, 09/07/2004, rejecting the following claims 1-18.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$500.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

() (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

() one month	\$120.00
() two months	\$450.00
() three months	\$1020.00
() four months	\$1590.00

(X) The extension fee has already been filed in this application.

() (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account **08-2025** the sum of \$500.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

() I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450. Date of Deposit: _____

OR

(X) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (571) 273-3685 on 01/07/2005 -

Number of pages: 1

Typed Name: Leland WiesnerSignature: Leland Wiesner

Respectfully submitted,

Shackleford, J. Barry

By Leland Wiesner

Leland Wiesner

Attorney/Agent for Applicant(s)

Reg. No. 39,424

Date: 01/07/2005

Telephone No.: (650) 853-1113

Rev 12/04 (NoteAppeal)